

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
NAMEL NORRIS,	:	
	:	
Plaintiff,	:	
	:	21-CV-8356 (VSB)
-against-	:	
	:	<u>ORDER</u>
	:	
PSYCHIC BOUTIQUE CORP., et al.,	:	
	:	
Defendants.	:	
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VERNON S. BRODERICK, United States District Judge:

Plaintiff initiated this action on October 9, 2021, (Doc. 1), and filed an affidavit of service as to Defendant Psychic Boutique Corp. on December 25, 2021, (Doc. 8.) Defendant Psychic Boutique Corp.’s answer was due by November 26, 2021. (*See id.*) On January 7, 2022, I ordered Plaintiff to move for default judgment against Defendant Psychic Boutique Corp. or otherwise risk dismissal of those claims for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (Doc. 9.) On April 5, 2022, Plaintiff moved to vacate my order for Plaintiff to seek default judgment against Defendant Psychic Boutique Corp. because counsel for Defendant Psychic Boutique Corp. stated that Defendant Psychic Boutique Corp. “is in bankruptcy and that there will be an ‘automatic stay.’” (Doc. 19.) On April 6, 2022 and again on April 29, 2022, I ordered Plaintiff to notify Defendant Psychic Boutique Corp. that this Court orders Defendant to enter its appearance for the limited purpose of filing a notice of the bankruptcy action and the automatic stay. (Docs. 21–22.) On May 6, 2022, counsel for Defendant Psychic Boutique Corp. filed an appearance in this matter. (Doc. 23.) Again, on May 12, 2022, I ordered Defendant Psychic Boutique Corp. to file a notice of the bankruptcy action and the automatic stay. (Doc.

24.) Defendant Psychic Boutique Corp. has failed to do so. On June 22, 2022, Plaintiff submitted a status report notifying me that Plaintiff has advised counsel for Defendant Psychic Boutique Corp. to file the pertinent documents. (Doc. 32.) To date, Defendant Psychic Boutique Corp. still has not filed the documents. Accordingly, it is hereby:

ORDERED that either Defendant or Plaintiff file the required notice of the bankruptcy action and the automatic stay on or before July 15, 2022. If neither party files the notice by that date, Plaintiff is ordered to seek a default judgment against Defendant Psychic Boutique Corp. in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than July 22, 2022. If Plaintiff fails to do so by that date, I will dismiss this case against Defendant Psychic Boutique Corp. pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: July 1, 2022

New York, New York

A handwritten signature in black ink, reading "Vernon S. Broderick". The signature is written in a cursive, flowing style.

Vernon S. Broderick
United States District Judge